IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 14355 of 2004(H)

PETITIONER:

POTHANICADU FARMERS CO-OPERATIVE BANK LTD.NO. 3510, POTHANICADU, KOTHAMANGALAM, REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADV. SRI.P.P.JACOB

RESPONDENTS:
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1. **T.JOSE, S/O. THOMMAN, AGED 50 YEARS, THENATHU HOUSE, CHATHAMATTAMKARA, KADAVOOR VILLAGE, KOTHAMANGALAM TALUK.**

2. **T.C.MATHEW, S/O. CHACKO, AGED 52 YEARS, THEKKEKALAMATTATHIL HOUSE, CHATTHAMATTAM KARA, KADAVOOR VILLAGE, KOTHAMANGALAM TALUK.**

3. **KERALA STATE CO-OPERATIVE TRIBUNAL, TRIVANDRUM.**

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO. 14355/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE APPEAL MEMORANDUM FILED BY RESPONDENTS 1 & 2 BEFORE THE 3RD RESPONDENT DT.4.8.01.

EXT.P2:- COPY OF THE JUDGMENT IN A.P. 86/01 OF THE CO-OPERATIVE TRIBUNAL DT.18.12.01.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P. (C) NO. 14355 OF 2004

Dated this the 21st day of March, 2007.

J U D G M E N T

In view of the decision of this Court reported in ***Kerala State Cooperative Bank Ltd. vs. Kerala Cooperative Tribunal*** **(2005(1) KLT 572)** in the matter of rate of interest, I quash Exhibit P2 and remit the matter to the Tribunal for fresh consideration in the light of the above decision. The matter shall be disposed of within a period of six months from date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp